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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,193	12/13/2000	Germano Caronni	P-5600	6182
24209 7590 01/30/2008 GUNNISON MCKAY & HODGSON, LLP 1900 GARDEN ROAD SUITE 220 MONTEREY, CA 93940			EXAMINER LAM, DUNG LE	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 01/30/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/737,193

Applicant(s)

CARONNI ET AL.

Examiner

Dung Lam

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claims 33 and 35 objected to because of the following informalities:

The examiner suggests changing the phrase “a computer usable medium” to -- a computer readable medium—to comply with the format of a “computer readable medium” claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim(s) 1,2,4,6-9,11-14,17,18,20,22-25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Syed et al.** (US Patent No. 6038451) in view of **Stewart et al.** (US Pat. No. 6259405).
3. Regarding **claim 1**, **Syed** teaches a method for device location sensitive data routing comprising: detecting a signal at a location wherein said signal, electronic device wherein said signal contains a user identifier wherein said user identifier identifies a user (C4 L65- C55 L10, C6 L1-10); transmitting via a phone system to a routing device said user identifier and a list of one communication device at said location (C4 L38 –

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55, C5 L11-28, C5 L48-65); and rerouting one or more electronic communications to said communication device wherein said electronic communications are intended for said user (C5 L25 – L28). However, Syed does not teach said location signal is from the mobile. However, it is known in the art that a location signal can be obtained from either the network or the mobile terminal itself. In an analogous art, **Stewart** teaches the transmission of its detected location signal containing the user identification to a routing device for the router to route the communication to the appropriate destination (C2 L50 – C3 L3. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine Syed's teaching of call forwarding based on location and Stewart's transmission the device's location to the system to speed-up the call-forwarding routing time because the location process is no longer involved and is performed by the mobile device itself..

4. Regarding claims 4 and 20, Syed and Stewart disclose the method of claims 1 and 17, respectively, wherein said portable, electronic device is a cellular phone (Syed, Wireless unit 11).

5. Regarding claims 6 and 22, Syed and Stewart disclose the method of claims 1 and 17, respectively, wherein said signal is a radio signal (Stewart, col. 2, line 50 to col. 3, line 3).

6. Regarding claims 7 and 23, Syed and Stewart disclose the method of claims 1 and

23, respectively, wherein said signal is an infrared signal (col. 2, line 50 to col. 3, line 3).

7. Regarding claims 8 and 24, Syed and Stewart disclose the method of claim 1 wherein said signal emanates via a connection line (i.e., reads on service control module) wherein said connection line couples said portable, electronic device (mobile) and a sensor Stewart, col. 2, line 50 to col. 3, line 3)

8. Regarding claims 9 and 25, the method of claims 1 and 17, respectively, wherein said electronic communications are phone calls (col. 2, line 50 to col. 3, line 3)

9. Regarding claims 11 and 27, Syed and Stewart disclose the method of claims 1 and 17, respectively, further comprising: coupling a cellular phone to a non-wireless phone line, (Syed, Abstract, C4-5).

10. Regarding claims 12 and 28, Syed and Stewart disclose the method of claims 1 and 17, respectively, further comprising: configuring said routing device to perform an action (route call), if a condition is met (Syed, Abstract, C4-5).

11. Regarding claims 13 and 29, Syed and Stewart disclose the method of claim 12 wherein said condition is {when} said user first appears at said location (Syed, Abstract, C4-5).

12. Regarding claims 14 and 30, Syed and Stewart disclose the method of claim 12 wherein said condition is said user leaves said location (Syed, Abstract, C4-5).

13. Claims 3,5,10,15-16,19,21,26,31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed and Stewart further in view of Waites, (U.S. Patent No. 6,788,769).

14. Regarding claims 3,5,10,15,16,19,21,26,31 and 32, Syed and Stewart disclose the method (Stewart, and router), just as claims 1 and 17, above, but fails to show wherein said step of transmitting comprises: transmitting email messages, wherein the portable is a PDA or updating a web page. In a similar field of endeavor, Waites discloses a mobile transmitting and transmitting via e-mail (Stewart, col. 7, lines 10-65); wherein said portable, electronic device is a PDA (Stewart, col. 11, lines 12-24); wherein said action is updating a web page (Stewart, col. 13, lines 17-46); and wherein said action is sending an email (Stewart, col. 11, lines 12-24).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Stewart's method and apparatus of routing calls to include an PDA, email and web page updating capabilities thereby providing the user the flexibility and convenience of transmitting data to other users or access data via the Internet as taught by Waites.

15. Claims 33,36,38,39,40,41,43,45 and 46 are rejected under 35 U.S.C. 103(Stewart, a) as being unpatentable over Stewart, in view of Harter et al., "A Distributed Location System for the Active Office"

16. Regarding claims 33,36,38,39,40,41,43,45 and 46, Syed and Stewart disclose the limitations just as in corresponding method and apparatus claims 1,2,4,6-9,11-14,17,18,20,22-25 and 27-30, applied above, except for specifically teaching, a computer program product comprising computer usable medium having computer readable program code embodied therein and configured to route data. In a similar field of endeavor, Harter et al., discloses a distributed location system wherein fixed and wireless receivers are combined in a manner similar to Stewart but within an "active office". Further, Harter et al., clearly teaches that location technology involves distributed software (Stewart, i.e., reads on computer usable medium and computer readable program) throughout the local area. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Stewart to include distributed software for the purpose of providing control to the service node and service control module, to implement the routing of calls using intelligent technology.

17. Claims 35,37,42,47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed, Stewart, Harter et al., and further in view of Waites.

18. Regarding claims 35,37,42,47 and 48, Syed, Stewart, Harter et al., discloses the method of claim 33. Since Syed, Stewart and Harter et al., do not

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disclose the limitations in dependent claims 35,37,42,47 and 48, Examiner has added the Waites reference, applied just as above with respect to claims 3,5,10,15-16,19,21,26 and 30-32. In a similar field of endeavor, Waites discloses a mobile transmitting an transmission via e-mail (Stewart, col. 7, lines 10-65); wherein said portable, electronic device is a PDA (Stewart, col. 11, lines 12-24); wherein said action is updating a web page (Stewart, col. 13, lines 17-46); and wherein said action is ending an email (Stewart, col. 11, lines 12- 24). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Stewart as modified by Harter et al., a method and an apparatus of routing calls to include a PDA, email and web page updating capabilities for the purpose of allowing the user to transmit data to other users or access data on the Internet as taught by Waites.

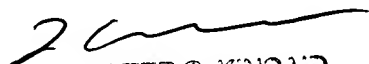
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Lam whose telephone number is (571) 272-6497. The examiner can normally be reached on M - F 9 - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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